

JOURNAL OF THE HOUSE.

Tuesday, April 26, 2005

[being a continuation of the legislative session of Monday, April 25, 2005.].

and at that time, the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Tuesday, April 26, 2005 (at 10:00 o'clock A.M.).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, the Ultimate Source of Goodness and Truth, we depend upon Your assistance and direction in our efforts to cope with daily stress and the variety of demands which are made upon us as elected officials. In our role as community leaders, teach us to seek truth, Your wisdom, and to speak truth, accurate knowledge, in our dialogue and relationship with You and constituents. Inspire us to respond to current complex legislative issues and ethical challenges by making sound, rational, not merely emotional choices. May our daily legislative and personal goals and priorities remain constant, faithfulness to the Constitution and Your ways for achieving successful living and peace of mind.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Statement Concerning Representative Galvin of Canton.

A statement of Mr. Kafka of Stoughton concerning Mr. Galvin of Canton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Galvin of Canton, will not be present in the House Chamber for today's sitting due to a death in his family. Any roll calls that he may miss today will be due entirely to the reason stated. Representative Galvin of Canton.

Guests of the House.

During the session, Miss Reinstein of Revere took the Chair, declared a brief recess and introduced Herb Reed and the Platters, recent inductees into the Rock

and Roll Hall of Fame. After brief remarks by Mr. Reed, the group performed their hit song "Only You", which they first performed 50 years ago. They were the guests of Representatives Reinstein, Casey of Winchester, Connolly of Everett and the entire Black Caucus.

Mr. Petrolati of Ludlow then returned to the Chair, declared a brief recess and introduced Jeff "Hell Raza" Fraza from Haverhill, New England Junior Welterweight Boxing Champ and recent contestant on the reality show "The Contender". Mr. Fraza was the guest of Representatives Dempsey of Haverhill, Stanley of West Newbury and L'Italien of Andover, Senator Baddour and State Auditor A. Joseph DeNucci.

During the session, the Chair (Mr. Petrolati) declared a brief recess and introduced Shannon Gallagher Reeve of Franklin. Mrs. Reeve, the holder of the title "2005 Mrs. Massachusetts" was the guest of Representative

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Lepper of Attleboro) congratulating Mr. and Mrs. Gerald Brillon on the occasion of their sixtieth wedding anniversary;

Resolutions (filed by Representatives Owens-Hicks of Boston, LeDuc of Marlborough and DiMasi of Boston) recognizing Child Abuse Prevention Month; and

Resolutions (filed by Mr. Rodrigues of Westport) recognizing Juvenile Awareness Day;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Marzilli of Arlington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Paper from the Senate.

A Bill designating a portion of state highway route 122 as a scenic road (Senate, No. 1881, changed in section 1, in the first paragraph, in the first sentence, by adding before the word "Rutland" the word "Paxton,"; in said sentence, by striking out the words "and Petersham" and inserting in place thereof the words "Petersham, New Salem and Orange"; and in said section, in the second sentence, by striking out the words "and Rutland and end at the town line of Petersham and New Salem" and inserting in place thereof the words "and Worcester and end at its point in Orange") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill making special provisions for the placement of certain questions on the town of Spencer annual election ballot (see Senate bill printed in House, No. 2929) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Recess.

At ten minutes after ten o'clock A.M. (Tuesday, April 26), the Chair (Mr. Petrolati of Ludlow) declared a recess until a quarter before twelve o'clock noon; and at that time the House was called to order with Mr. Petrolati in the Chair.

The House Bill establishing a sick leave bank for Michelle Sharac, an employee of the trial court (House, No. 2799) (its title having been changed by the committee on Bills in the Third Reading) was read a third time, under suspension of the rules, on motion of Mr. Kocot of Northampton.

Said committee reported recommending that the bill be amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 2799, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill making appropriations for the fiscal year 2006 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4000, amended) was considered.

Pending the question on passing the bill, as amended, to be engrossed, Mr. DeLeo and other members of the House then moved that the bill be amended in section 2 by striking out item 4800-0038 and inserting in place thereof the following item:

"4800-0038 For stabilization, unification, reunification,
 permanency, adoption, guardianship, and foster
 care services provided by the department of
 social services; provided, that services funded
 through this item shall include shelter services,
 substance abuse treatment, family reunification
 networks, young parent programs, parent aides,
 education and counseling services, family
 preservation services, foster care, adoption and
 guardianship subsidies, tiered reimbursements
 used to promote the foster care placement of
 children with special medical and social needs,

assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that any child who would have been eligible for a clothing benefit under regulations in place on January 1, 2005 shall receive a clothing benefit in fiscal year 2006; provided further, that not less than \$500,000 shall be expended on the recruitment and retention of foster parents; and provided further, that not later than February 17 of the current fiscal year the department shall provide to the house and senate committees on ways and means a recommendation on whether or not to discontinue any program, including earmarked programs, whose cost per unit of service or service outcomes do not fall within a reasonable standard; provided further, that not less than \$348,850 shall be expended for Casa Esperanza; provided further, that not less than \$300,000 shall be expended for Summerhill House in Norwood; provided further, that not less than \$298,000 shall be expended for alternative schools for students aged 14 to 16, inclusive, who are placed before the court on child in need of services petitions in region 6; provided further, that not less than \$257,000 shall be expended for a contract for an integrated family services team in region 6; provided further, that not less than \$250,000 shall be expended on a juvenile firesetters program; provided further, that not less than \$130,000 shall be expended for Children's Cove for medical and support services for pediatric victims of sexual or physical assault; provided further, that not less than \$200,000 shall be expended for a statewide contract with Northeastern University for a violence prevention and conflict resolution program; provided further, that not less than \$150,000 shall be expended for a contract with Julie's Family Learning program in the South Boston section in the city of Boston; provide further, that not less than \$104,123 shall be expended on the Teen Parenting program at Framingham High School; provided further, that not less than \$100,000 shall be expended in region 1 for a community-based family unification counseling program to prevent juvenile delinquency; provided further, that not less than \$100,000 shall be expended for North End Outreach Network of Springfield; provided further, that

provided further, that not less than \$50,000 shall be expended for the purpose of providing case management services for the Amity Transitional Housing program in the city of Lynn; provided further, that not less than \$30,000 shall be expended for a contract with Big Brothers and Big Sisters of Cape Cod and the Islands; provided further, that not less than \$100,000 shall be expended for Alive With Awareness, Knowledge, and Empowerment of Springfield; provided further, that not less than \$25,000 shall be expended for the Concilio Hispano in Somerville; provided further, that not less than \$20,000 shall be expended for the Haitian Coalition of Somerville; provided further, that not less than \$50,000 shall be expended for the On the Rise Shelter for homeless women in Cambridge; provided further, that not less than \$50,000 shall be expended for Multicultural Alzheimer's Services Project in Springfield; and provided further, that not less than \$20,000 shall be expended for the Massachusetts Association of Portuguese Speakers in Cambridge

271,459,996"; and

By striking out item 4800-1400 and inserting in place thereof the following item:

"4800-1400 For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, certified batterer intervention programs for indigent batterers and their families, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; and provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that not less than \$400,000 shall be expended on the Refugee, Immigrant, Safety and Empowerment program; provided further, that not less than \$75,000 shall be expended on a domestic violence prevention

program called Teens-At-Risk, operated by Portal of Hope for the communities of Everett, Lynn, Malden and Medford; provided further, that not less \$15,000 shall be expended for the Words not Weapons mentoring project in Saugus

20,430,496”.

After debate the amendments were adopted.

At sixteen minutes before one o'clock P.M. (Tuesday, April 26), the Chair (Mr. Petrolati of Ludlow) declared a recess until half past one o'clock; and at that time the House was called to order with Mr. Petrolati in the Chair.

Mr. DeLeo of Winthrop and other members of the House then moved that the bill be amended in section 2, in item 1599-0042, by striking out the figures “5,000,000” and inserting in place thereof the figures “7,000,000”;

By striking item 3000-4000, and inserting in place thereof the following item:

“3000-4000 For grants for pre-school programs and comprehensive services provided to children from the age of two years nine months until they are kindergarten eligible, through a mixed system of service delivery including cities, towns, regional school districts, educational collaboratives, head start programs, and licensed day care providers, pursuant to section 54 of chapter 15 of the General Laws; provided, that, notwithstanding the provisions of any general or special law to the contrary, community partnership councils established pursuant to section 54 of chapter 15 of the General Laws shall be under the control and supervision of the department of early education and care established pursuant to chapter 15D of the General Laws; provided further, that the commissioner and board of early education and care, not later than June 30, 2005, and in collaboration with the department of education, shall review and approve consolidated grant applications based on the broad community partnership council program objectives utilized by the department of education in prior years; provided further, that, as part of said consolidated grant application process, the board and commissioner shall provide grants to each council sufficient to ensure that every child who received services through this item in fiscal year 2005 continues to receive services in fiscal year 2006 under the same terms and conditions as in fiscal year 2005, and shall use the same eligibility standards for said services as those used by the department of education in fiscal year 2005; provided further, that in any community partnership council in which there was only 1 lead agency in fiscal year 1995, such lead agency shall serve as lead agency to submit proposals in fiscal year 2006; provided further,

that the amount by which the funds appropriated exceed the amount appropriated in item 7030-1000 of chapter 60 of the acts of 1994 shall be used to provide services to the children of working parents; provided further, that funds appropriated in said item prior to 1994 shall continue to be used for at risk children; provided further, that the consolidated grant application for continuation of existing services and expansion of services to additional children shall fund the community partnership council objectives utilized by the department of education, and include a detailed budget indicating the amount that the council proposes to spend in each of the following areas: continuation of services to those children already receiving services in fiscal year 2005, expansion of services to additional children in fiscal year 2006, comprehensive family support and education services, quality enhancement initiatives for existing programs and service providers, program stabilization in existing programs, and needs assessments focused on determining the need for workforce development and pre-school service in the region served by the council; provided further, that any new expansion slots provided by the council to serve additional children who did not receive services in fiscal year 2005 shall be used to provide services to children of working parents older than two years and nine months and younger than five years old, according to rules and regulations promulgated by the department; provided further, that preference shall be given by said councils to children older than two years and nine months and younger than four years old; provided further, that where feasible, and subject to appropriation, the department and local council shall work with local providers to ensure that any child who receives new or additional services in fiscal year 2006 is guaranteed services by said council until entrance into kindergarten in order to maximize the developmental and educational benefits of pre-school for the child; provided further, that the eligibility standards for said services shall be the same as those used by the department of education prior to passage of this act; provided further, that councils shall give priority in awarding additional slots to children on the wait list formerly maintained by the office of child care services; provided further, that the department may waive this requirement for any council which can demonstrate that all eligible children who, as of July 1, 2005, were on said wait list in the region served by the council are

receiving child care services; provided further, that said children shall retain priority status for future services available through the department upon attaining the age of 5, notwithstanding the receipt of services funded through this item; provided further, that where feasible and practicable, not less than one-third of the total new slots funded in this item by the amount by which the funds appropriated in this item exceed the amounts appropriated in said item 7030-1000 of chapter 60 of the acts of 1994 shall be for full-day, full-year care that meets the needs of working parents; provided further, that the council may recommend as part of its proposal quality enhancement initiatives for providers within its region; provided further, that eligible purposes for such initiatives shall include: professional development and workforce development efforts, assistance with the costs of meeting new and advanced licensure standards, accreditation costs, and such other costs as the commissioner shall approve; provided further, that, in order to preserve existing slots, classrooms, and programs to the extent possible, and ensure that the Commonwealth does not lose existing capacity in its early education and care infrastructure, a council may recommend stabilization grants be provided to any provider which would otherwise lose funds or close programs as a result of the transition to a unified system of early education and care and universal pre-school; provided further, that the department may provide funds to councils and local coordinators in order to conduct local needs assessments within the region served by the council in order to ascertain the workforce development needs of providers of early education and care in said region for the purpose of aiding the department with the workforce development plan required by section 5 of chapter 15D of the General Laws, and to determine the need for pre-school with in said region; provided further, that any council seeking funds shall include a detailed description of its proposed study methodology in its funding proposal to the department; provided further, that any needs assessment carried out for the purposes of determining the workforce development needs of a region shall include, where possible, an analysis of the number and type of providers in the region, the educational attainment of all early educators currently working in the region, the number of said educators who would require additional coursework to meet the standards of the department, the estimated cost of enabling all

providers in the region to achieve the new quality standards promulgated by the department, the providers within the region who could most benefit from additional training or coursework, the number who have expressed interest in such workforce or professional development, and such other information as the commissioner may determine relevant; provided further, that any assessment of the need for pre-school services shall include, at minimum: the number and type of providers in the region, the number of available slots in the region, the estimated number of children of pre-school age in the region, the number of pre-school aged children receiving early education and care programs and services in the region without any public subsidy, the number of pre-school aged children receiving early education and care programs and services with public subsidy and the nature of the subsidy, the number of pre-school aged children not receiving any early education and care programs or services, and an estimate of the cost of providing such services using various eligibility standards and guidelines as determined by the department; provided further, that the department shall require, as a condition of receiving funds for needs assessment purposes, that the local council coordinate its evaluation and study with the regional offices established under item 3000-2000; provided further, that no funds may be expended from this item for administrative costs of the department of early education and care; provided further, that recipients of grants distributed from this item shall not expend more than 8 per cent of said grants for administrative costs, as defined by the department of education in fiscal year 2005; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary

68,700,570”;

In item 3000-7060 by striking out the figures “1,000,000” and inserting in place thereof the figures “1,500,000”;

By inserting after item 3000-7060 the following item:

“3000-7070 For matching grants to fund the Reach Out and Read program, to provide books to at-risk children in the commonwealth through book distribution programs established in community health centers, medical practices and hospitals

for at-risk children; provided further, that the funds distributed through the Reach Out and Read program shall be contingent upon a match of not less than \$1 in private or corporate contributions for every dollar in state funding distributed through said grant program; and provided further, that the department shall, to the maximum extent feasible, collaborate with the Reach Out and Read program, so-called, in order to coordinate services provided through this item with services provided through items 3000-7000, 3000-7050, and 3000-7060 in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department

500,000”; and

By striking out item 7030-1003 and inserting in place thereof the following item:

“7030-1003 For the John Silber early literacy program to promote research based school-wide literacy education and to promote literacy among children in grades K through 3 in the commonwealth; provided, that the office of reading and language arts shall administer said early literacy grant programs to improve the quality and effectiveness of literacy education in the commonwealth to the greatest extent possible; provided further, that these early literacy education programs shall be based on a scientifically-based reading research program consistent with the federal Reading First Initiative; provided further, that \$385,000 shall be expended for JFY.net, a Jobs for Youth initiative for high technology, literacy and job skill instruction to youth and adults through advanced software and existing infrastructure capacity in schools and community agencies; provided further, that such program shall supplement currently funded local, state and federal programs at the school or district; and provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district, without further appropriation, notwithstanding the provisions of any general or special law to the contrary

3,462,989”;

After debate the amendments were adopted.

Ms. Reinstein of Revere then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 42. (a) Notwithstanding any general or special law to the contrary, the city of Revere may promulgate rules and regulations regarding the rental of

motor vehicles to require the assessment and payment of a surcharge of not more than \$10 on each motor vehicle rental contract in said city. The surcharges collected shall be paid monthly to the city not later than the twentieth of the month following the collection of the surcharge and may be added to the cost of the rental agreement. Amounts received by the city pursuant to this section shall not be considered in the determination of the amount of any distribution of state assistance to the city.

b) For the purpose of determining compliance with this section, the city of Revere may examine all relevant books, records and documents of a person or entity engaged in the business of renting motor vehicles. The auditor or the treasurer of the city or a designee of the auditor or the treasurer shall conduct any such examination. If the surcharge collected is less than the amount required pursuant to this section, the city may file a claim, within 2 years after the date on which the surcharge is due, for such underpayment or undercollection, together with interest permitted by law.

c) This section shall provide an exclusive, additional, alternative and complete method for the imposition and collection of a surcharge on a motor vehicle rental agreement. This section shall be supplemental and additional to, and not in derogation of, powers conferred upon the city of Revere. If this section is inconsistent with any general or special law or administrative order or regulation or any limitation imposed by the charter of the city of Revere, this section shall control.”.

The amendment was rejected.

Mr. Kane of Holyoke being in the Chair,- At four minutes before three o'clock P.M. (Tuesday, April 26), on motion of Mr. Donato of Medford, the House recessed until half past three o'clock; and at seven minutes after four o'clock the House was called to order with Mr. Mariano of Quincy in the Chair.

The Chair (Mr. Mariano) thereupon declared a further recess subject to the call of the Chair; and at twenty-six minutes after five o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

The House thereupon took a further recess, on motion of Mr. Straus of Mattapoisett, until half past six o'clock; and at eighteen minutes after seven o'clock the House was called to order with Mrs. Harkins of Needham in the Chair.

Mr. Jones of North Reading and other members of the House then moved that the bill be amended by adding at the end thereof the following section:

“SECTION 42. Chapter 111 of the General Laws, as appearing the 2002 Official Edition, is hereby amended by striking out section 25I and inserting in place thereof the following section:

Section 25I. The commissioner shall promulgate regulations requiring that either a resident or consultant pharmacist in a health care facility shall return to the pharmacy from which it was purchased all unused medication; provided that such medication is sealed in unopened, individually packaged units and within the recommended period of shelf life, and provided that such medication is not a schedule I or II controlled substance as defined in chapter 94C. Such pharmacies shall accept all such unused medications regardless of whether such medications are included on any list of unit-dose drugs issued by the department or the

division of medical assistance. Any rules and regulations issued by the commissioner shall permit the pharmacy to which such medication is returned to restock and redistribute such medication, and shall be required to reimburse or credit the purchaser for any such returned medication.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 42 members voted in the affirmative and 116 in the negative.

[See Yea and Nay No. 34 in Supplement.]

Therefore the amendment was rejected.

Mr. DeLeo of Winthrop and other members of the House then moved that the bill be amended in section 2 by striking out item 4510-0106 and inserting in place thereof the following item:

“4510-0106 For the end of life care commission, established by section 480 of chapter 159 of the acts of 2000; provided, that not more than \$100,000 shall be expended from revenues associated with grant and development activities 100,000”;

By striking out item 4510-0110 and inserting in place thereof the following item:

“4510-0110 For community health center services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that not less than \$100,000 shall be expended on the Duffy/O’Neill Health Center in Hyannis; provided further, that the department shall submit a tentative allocation schedule of the community health center grants to the house and senate committees on ways and means not later than February 1, 2006; provided further, that not less than \$50,000 shall be expended for the Cape Cod Free Clinic and Community Health Center; and provided further, that not less than \$100,000 shall be expended for the elder health center in Saugus 4,910,160”;

By striking out item 4510-0600 and inserting in place thereof the following item:

“4510-0600 For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the division of environmental epidemiology and toxicology for the purposes of chapter 470 of the acts of 1983, the “Right-to-Know” law; provided, that the expenditures from this item for the fair packaging and labeling survey program shall be contingent upon the

prior approval of the proper federal authorities for reimbursement of 100 per cent of the amounts so expended; provided further, that \$50,000 shall be expended for a renal disease program administered by the National Kidney Foundation of Massachusetts, Rhode Island and Vermont for nutritional supplements and early intervention services for those affected by renal disease and those at risk of renal disease; provided further, that not less than \$100,000 shall be expended for the purposes of research and prevention activities associated with Lyme Disease, so called, to be conducted by the Barnstable County Department of Health and the Environment; provided further, that not more than \$14,800 shall be allocated to the Franklin Regional Council of Governments for costs associated with the regional public health program; not less than \$81,000 shall be expended for the maintenance of a statewide lupus database; provided further, that \$150,000 shall be expended for the ALS registry created by section 26 of chapter 140 of the acts of 2003; provided further, that \$195,000 shall be expended for the purpose of the director of the bureau of environmental health assessment of the department of public health to continue an environmental risk assessment of the health impacts of the General Lawrence Logan Airport in the East Boston section of the city of Boston on any community that is located within a 5 mile radius of the airport and is potentially impacted by the airport; provided further, that the assessment may include, but not be limited to, examining incidences of respiratory diseases and cancers and performing medical and laboratory tests and examinations of residents of these communities; provided further, that the bureau shall report its findings together with any recommended response actions by the commonwealth to the house and senate committees on ways and means not later than February 1, 2006; and provided further, that no funds appropriated in this item shall be expended for the purpose of siting or locating a low-level radio-active waste facility in the commonwealth;

3,205,321”;

By striking out item 4510-0615 and inserting in place thereof the following item:

“4510-0615 The department may expend an amount not to exceed \$150,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend revenues not to

exceed \$1,324,195 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the nuclear regulatory commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall report quarterly to the house and senate committees on ways and means the total amount of revenue collected, a ratio of revenue collected per employee, the total number of inspections and a ratio of inspections per employee

1,474,195”;

By striking out item 4512-0103 and inserting in place thereof the following item:

“4512-0103 For acquired immune deficiency syndrome services and programs; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that no funds shall be transferred into the AA object class; provided further, that particular attention shall be paid to direct the funding proportionately amongst each of the demographic groups afflicted by HIV/AIDS; provided further, that funds shall be expended for rental housing subsidies for the purposes of preventing admissions to acute hospitals, chronic hospitals and nursing homes for persons with acquired immune deficiency syndrome; provided further, that the department may contract for the administration of this program; provided further, that the costs of this administrative contract shall not be expended from this item; provided further, that rents payable by tenants shall not be less than 30 per cent of total household income if heat and cooking fuel are provided by the landlord and shall not be less than 25 per cent of total household income if heat and cooking fuel are not provided; provided further, that no funds shall be expended for subsidies for housing units in excess of the number of units funded on June 30, 1991; provided further, that the department shall not enter into any new housing contracts or expend funds for such new contracts in fiscal year 2006 that would fund units in excess of the number of units funded on June 30, 2005;

provided further that not less than \$100,000 shall be expended for the Springfield Public Health Department; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2006

35,297,303”;

By striking out item 4512-0106 and inserting in place thereof the following item:

“4512-0106 The department of public health may expend an amount not to exceed \$1,900,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program administered by the federal health resources and services administration and office of drug pricing

1,900,000”;

By striking out item 4512-0200 and inserting in place thereof the following item:

“4512-0200 For the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that not less than \$45,000 shall be expended in grants for the Framingham Coalition for the Prevention of Drug and Alcohol abuse; provided further, that not less than \$90,000 shall be expended for Franklin Medical Center’s Beacon Recovery program at the Orange Recovery House; provided further, that not less than \$99,000 shall be expended for Self Esteem Boston substance abuse direct service prevention programs and provider training programs; provided further, that not less than \$650,000 shall be expended for a contract with STEP, Inc., for sobriety treatment, education and prevention; provided further, that not less than \$99,925 shall be expended for Latinas y Ninos to provide a full-time child advocate parent educator specialist to attend to the needs of Latino women in recovery with a focus on pregnant women, new parents and mothers recently reunified with children; provided further, that not less than \$100,000 shall be expended for a contract with the Bay Cove Human Services, Inc. for the purposes of establishing an independent licensed halfway house in the Charlestown neighborhood of Boston, in collaboration with the Charlestown Recovery House, Inc. for persons in recovery from alcoholism and chemical dependency; provided further, that \$75,000 shall be expended to establish an Opiate Abuse Prevention and Intervention Program for Youth in the City of Melrose; provided further, that not less than

\$50,000 shall be expended to REACH, formerly known as the Waltham Support Committee for Battered Women; provided further, that not less than \$50,000 shall be expended for the Louis D. Brown Peace Institute for homicide victims' family support services and anti-violence advocacy programs; provided further, that not less than \$250,000 shall be expended for the Latino After School Initiative; provided further, that not less than \$75,000 shall be expended for the Tynan Community Centers Adolescence Wellness Program in the South Boston section of City of Boston; provided further, that not less than \$125,000 shall be expended for the operation of the Barnstable Action for New Directions (BAND) program facilitated by Gosnold of Cape Cod Inc. in conjunction with the Barnstable District Court and the Cape and Islands District Attorney; provided further, that not less than \$100,000 shall be expended for the maintenance and operation of the Intensive Outpatient Program at the South Boston Collaborative for the purposes of responding to adolescent suicide clusters and drug abuse in the South Boston section of the City of Boston; provided further, that not less than \$370,800 shall be expended to Gavin Foundation for a male adolescent residential facility for substance abuse and rehabilitation services and for an adjoining female adolescent residential facility for substance abuse and rehabilitation services, totaling twenty-eight (28) beds located in the South Boston section of the City of Boston; provided further, that not less than \$319,500 shall be expended for a contract with Gavin Foundation, Inc. to provide a Total Immersion Program in conjunction with the Probation Department of the South Boston Division of the district courts, the Quincy Division of the district courts, the Somerville Division of the district courts, the Hingham Division of the district courts, the Brighton Division of the district courts, and other district courts and that the funding shall be expended for the maintenance of a training program by the Gavin Foundation for a statewide Total Immersion Program; provided further, that the Gavin Foundation shall be contracted to provide Total Immersion Programs stated herein; provided further, that not less than \$90,000 shall be expended on the Russian Teens-at-Risk program operated by the Jewish Family Children's Service in the cities of Boston and Lynn and the town of Brookline; provided further, that not less than \$50,000 be expended for teens through programs provided by the Ashland Recreational Department; provided

further, that not less than \$50,000 shall be expended for the New Beginnings program; provided further, that not less than \$200,000 shall be expended for the Link House, Inc. in the town of Salisbury for purposes of establishing transitional housing for women in recovery from substance abuse; provided further, that the amount of \$100,000 shall be expended for the Northern Educational Services, Inc., so-called, outreach and prevention program in Springfield; provided further, that not less than \$60,000 shall be provided to Project COPE, Inc. in Lynn for the prevention and education of the problems associated with OxyContin and Heroine use; provided further, that not less than \$100,000 shall be expended for the Winchester Substance Abuse Coalition in the town of Winchester; and provided further, that not less than \$500,000 shall be expended for an opiate education and counseling competitive grant program in Suffolk county

46,441,186”;

By striking out item 4512-0500 and inserting in place thereof the following item:

“4512-0500 For dental health services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that of the amount appropriated in this item, funds shall be expended to maintain a program of dental services for the developmentally disabled; provided further, that not less than \$122,000 shall be allotted to the Doherty Dental Clinic in the City of Taunton for the basic dental needs of moderate and low income residents of Southeastern Massachusetts; and provided further, that the department shall submit to the house and senate committees on ways and means a quarterly report on the number of children served by this dental health services program and the number of children waiting to be served by the program

1,678,150”;

By striking out item 4513-1000 and inserting in place thereof the following item:

“4513-1000 For the operation of the bureau of family health services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that not less than \$120,000 shall be expended for the public health model of community engagement, intervention and intimate partner violence in the homosexual male community; and provided further, that funds shall be expended on family planning clinics, rape crisis centers and primary care services for women and children

7,652,196”;

By inserting after item 4513-1023 the following item:

“4513-1026	For the provision of statewide and community-based suicide prevention, intervention, post-vention, and surveillance activities and the implementation of a statewide suicide prevention plan	250,000”;
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By striking out item 4513-1112 and inserting in place thereof the following item:

“4513-1112	For a prostate cancer screening, education and treatment program; provided, that screening, education and treatment shall have a particular focus on the high rate of prostate cancer among African American males; and provided further, that no funds shall be expended in the AA object class for any personnel-related costs	1,300,000”;
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By inserting after item 4513-1112 (inserted by amendment) the following item:

“4513-1113	For a program to raise public awareness and provide health care provider education on colorectal cancer, including dissemination of materials on preventing and screening the disease and cancer registry reporting; provided, that no expenditures shall be made from this item for the cost of personnel	75,000”;
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By striking out item 4516-1000 and inserting in place thereof the following item:

“4516-1000	For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department shall give priority to the analysis of samples used in prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded herein; provided further, that funds from this item may be expended for the purchase of equipment for the drug laboratory at the state laboratory institute; and provided further, that funds from this item may be expended for the purpose of an interagency service agreement with the University of Massachusetts Medical School for the department’s share of the cost of occupancy, including the cost of facility support personnel, for the state laboratory institute	10,037,658”;
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By striking out item 4530-9000 and inserting in place thereof the following item:

“4530-9000 For teenage pregnancy prevention services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by said community service plans; provided further, that \$477,643 shall be expended on those communities with the highest teen birth rates; provided further, that \$100,000 shall be expended for teen pregnancy prevention services in the town of Orange; provided further, that not less than \$150,000 shall be expended for the Berkshire Coalition to Prevent Teen Pregnancy program in Berkshire County; provided further, that not less than \$250,000 shall be expended for the abstinence-based teen pregnancy prevention programs in the cities of North Adams and Pittsfield; provided further, that of said \$250,000, not less than \$125,000 shall be expended for said program in the city of Pittsfield; and provided further, that the department shall contract directly with vendors of teenage pregnancy prevention services; provided further, that not less than \$15,000 shall be provided to Girls, Inc. of Lynn for teen pregnancy prevention 992,643”;

By striking out item 4580-1000 and inserting in place thereof the following item:

“4580-1000 For the universal immunization program and the purchase and distribution of the pneumococcal conjugate vaccine; provided, that no funds shall be expended in the AA object class for any personnel-related costs; and provided further, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded herein 27,052,068”;

By striking out item 4590-0250 and inserting in place thereof the following item:

“4590-0250 For school health services and school-based health centers in public and non-public schools; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that services shall include but not be limited to: (1) strengthening the

infrastructure of school health services in the areas of personnel and policy development, programming, and interdisciplinary collaboration; (2) developing linkages between school health services programs and community health providers, and (3) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services and (4) incorporating obesity prevention programs, including nutrition and wellness programs in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that not less than \$350,000 shall be expended for the governor's commission on gay and lesbian youth; provided further, that not less than not less than \$200,000 shall be expended on Area Health Education Centers; and provided further, that said services shall meet standards and eligibility guidelines established by the department of public health in consultation with the department of education; provided further, that \$99,000 shall be expended to the H.E.L.P. program so-called, for black males health; provided further, that \$150,000 shall be expended for the childhood obesity school nutrition pilot project, to initiate or maintain school lunch programs focused on diminishing the epidemic of childhood obesity; and provided further, that \$12,000,000 shall be expended for school nurses and school-based health centers

14,568,309";

In item 4590-0300 by striking out the figures "3,750,000" and inserting in place thereof the figures "4,250,000";

By striking out item 4590-0912 and inserting in place thereof the following item:

"4590-0912 The department may expend an amount not to exceed \$14,630,014 from reimbursements collected for western Massachusetts hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class chargebacks and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full reimbursement from the medical assistance program of the executive

office of health and human services; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary for administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded herein

14,630,014”;

In item 4200-0100, in line 3, by inserting after the word “department” the following: “; provided further, that funds appropriated in fiscal year 2005 for the homeward bound program in the town of Brewster shall be made available in fiscal year 2006”; and

By striking out item 4000-0112 and inserting in place thereof the following item:

“4000-0112 For matching grants to boys’ and girls’ clubs, YMCA and YWCA organizations and nonprofit community centers; provided, that the secretary of health and human services shall award the full amount of each grant to each organization upon commitment of matching funds from the organization; and provided further, that the secretary shall report to the house and senate committees on ways and means on the exact amounts distributed in fiscal year 2006 by March 1, 2006; provide further, that not less than \$1,750,000 shall be expended for the Massachusetts Alliance of Boys and Girls Clubs to provide grants to boys and girls of Massachusetts; provided further, that not less than \$500,000 shall be expended for the YMCA of greater Boston to facilitate capital projects approved by the board of directors of the YMCA including, but not limited to, capital projects in the town of Norwood, the West Roxbury section of Boston, East Boston, Woburn, Bedford and in other cities and towns within the greater Boston area; provided further, that not less than \$100,000 shall be expended for improvements to the YWCA of Newburyport; provided further,

that no less than \$125,000 shall be expended for the Greater Worcester YMCA Youth Programs; provided further, that not less than \$50,000 shall be expended for the Chelsea YMCA for building rehabilitation purposes; provided further, that not less than \$50,000 be expended for programs at the Northeast Family YMCA; provided further, that not less than \$40,000 shall be expended for the public partnership program between the greater Lynn YMCA and YWCA and the public partnership program between the town of Saugus and the Saugus YMCA and YWCA; provided further, that not less than \$40,000 shall be expended for the Saugus YMCA; provided further, that not less than \$50,000 shall be expended to the Franklin Community Action Corporation for youth service; provided further, that not less than \$150,000 shall be expended for non-profit Youth Services in Andover; and provided further, that not less than \$25,000 shall be expended for the Southwick Recreation Center, Inc

2,880,000”.

After debate the amendments were adopted.

Mr. DeLeo of Winthrop and other members of the House then moved that the bill be amended in section 2 by striking out item 1410-0010 and inserting in place thereof the following item:

“1410-0010 For the operation of the office of veterans’ services; provided, that the office may fund a housing specialist from this item; and provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that not less than \$10,000 shall be expended for the Korean War Veterans committee of Massachusetts for the purpose of maintaining the Massachusetts Korean War Memorial located in the shipyard park of the Charlestown Navy Yard

1,898,914”;

By striking out item 1410-0012 and inserting in place thereof the following item:

“1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that said centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; provided further that not less than \$84,879 shall be expended for the Veterans Association of Bristol County in the city of Fall River; provided further, that not less than \$134,879 shall be expended for the Puerto Rican Veterans Association of Massachusetts, Inc., in the City of Springfield; provided further, that not less than \$30,000 shall be expended for the Veteran’s Oral History Project at the Morse Institute Library in Natick; provided further not

less than \$50,000 shall be expended for Veterans services to be administered by the Falmouth Veteran's Agent through the Falmouth Free Clinic and Community Center; provided further, that not less than \$292,480 shall be obligated for a contract with the Montachusett Veterans Outreach Center located in the City of Gardner; provided further, that not less than \$228,771 shall be obligated for a contract with the Veterans Benefit Clearinghouse in the Roxbury section of Boston; and provided further, that not less than \$100,000 shall be obligated for a contract with NamVets of the Cape and Islands in the town of Hyannis

1,279,420";

In item 1410-0015 by striking out the figures "40,281" and inserting in place thereof the figures "42,281";

By striking out item 1410-0250 and inserting in place thereof the following item:

"1410-0250 For homelessness services; provided, that not less than \$22,500 shall be obligated for a contract with the Turner House located in the town of Williamstown; provided further, that \$352,395 be provided for the Southeastern Massachusetts Veterans Housing Program, Inc. located in the City of New Bedford; provided further, that not less than \$200,000 shall be obligated for a contract with the United Veterans of America shelter located in the town of Leeds; provided further, that not less than \$75,000 shall be expended for the Transition House located in the city of Springfield; provided further, that not less than \$51,975 shall be expended for a contract with the Springfield bilingual veteran outreach center for the operation and maintenance of a transitional housing unit at the YMCA of Springfield; provided further, that not less than \$28,350 shall be obligated for a contract with the Homestead located in the town of Hyannis; provided further, that not less than \$475,105 shall be obligated for a contract with the Central Massachusetts Shelter for Homeless Veterans located in the City of Worcester; provided further, that not less than \$150,000 shall be obligated for contracts with the veterans hospice homestead in the city of Leominster and the veterans hospice in the town of Fitchburg; provided further, that not less than \$190,000 shall be obligated for a contract with Habitat P.L.U.S. in the city of Lynn; provided further, that not less than \$199,405 shall be obligated for a contract with the Unity House located in the City of Gardner; provided further, that \$100,350 shall be obligated for a contract with the Veterans Benefit Clearinghouse located in

Dorchester; and provided further, that not less than \$73,350 shall be obligated for a contract with the Veterans Benefits Clearinghouse located in Roxbury

1,918,430”;

In item 1410-0251 by striking out the figures “2,108,043” and inserting in place thereof the figures “2,258,043”; and

In item 4190-0100 by striking out the figures “17,194,386”, and inserting in place thereof the figures “17,694,386”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Verga of Gloucester; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 35 in Supplement.]

Therefore the amendments were adopted.

At nineteen minutes after eight o'clock P.M. (Tuesday, April 26), on motion of Mr. Jones of North Reading, the House recessed until ten minutes before nine o'clock; and at that time the House was called to order with Mrs. Harkins in the Chair.

The Chair (Mrs. Harkins) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provision of said rule; and on the roll call 121 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 36 in Supplement.]

Therefore Rule 1A was suspended.

Mr. DeLeo of Winthrop and other members of the House then moved that the bill be amended in section 2, in item 4403-2000 by adding at the end thereof the following: “; provided further, that not less than \$418,074 shall be expended for the purposes of the operation of the Transportation Assistance Program operated by the Traveler’s Aid Society; and provided further, that not less than \$95,000 shall be expended for the Lift Transportation Program operated by the Traveler’s Aid Society of Boston”;

In said item by striking out the figures “312,450,771” and inserting in place thereof the figures “312,963,845”;

By striking out item 4403-2120 and inserting in place thereof the following item:

“4403-2120 For certain expenses of the emergency assistance program as herein delineated: (i) contracted family shelters; (ii) transitional housing programs; (iii) residential education centers for single mothers with children; (iv) intake centers; and (v) voucher shelters; provided, that eligibility shall be limited to families with income at or below 100 per cent of the federal poverty level; provided, however, that any family whose income exceeds 100 per cent of the federal poverty level while the family is receiving assistance funded by this item, shall

not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 100 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow some or all of the portion of their income which exceeds 100 per cent of the federal poverty level; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset limits; provided further, that the family shall be allowed to withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the emergency assistance program; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that no funds may be expended for heat or utility arrearages; provided further, that eligible households shall be placed in shelters as close as possible to their home community, unless a household requests otherwise; provided further, if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date, unless the household requests otherwise; provided further, that the department shall make every effort to insure that children receiving services from this item are able to continue attending school in the community in which they lived prior to receiving services funded from this item; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated herein; provided further, that notwithstanding any general or special law to the contrary, 30 days before promulgating any such eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be

insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that nothing herein shall give rise to or shall be construed as giving rise to enforceable legal rights in any party or an enforceable entitlement to services other than to the extent that such rights or entitlements exist under the regulations promulgated by the department; provided further, that nothing in the preceding proviso shall authorize the department to alter eligibility criteria or benefit levels, except to the extent that such changes are needed to avoid a deficiency in this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means on the number of families who apply for emergency assistance funded family shelter, the number of families approved for shelter, the number of families denied shelter along with reasons for denials, the home community of families receiving shelter, the number of families receiving shelter within each home community, the number of available shelter slots within each home community, the income level of families receiving shelter, the number of families receiving shelter who had previously accessed state-funded programs to reduce homelessness and the programs that had been accessed, the composition of families receiving shelter, the reason that the household is seeking emergency family shelter, the reasons that families exit shelter, including reasons for voluntary departure and termination, exiting families' housing plans, including type of housing arrangement, subsidy status, monthly rent, and gross monthly income, and any other information that the department determines to be necessary in evaluating the operation of the emergency assistance family shelters program; provided further, that the report shall also include information, by type of shelter, on average length of stay, average cost per household served, average number of shelter slots not used either as the result of no placement being made or of a placed family not making use of shelter, and an analysis of this data, including an analysis of causes relating to any significant differences in the data for each type of shelter; and provided further, that as of January 1, 2006, eligibility for said services shall be made available to families whose income does not exceed 130 percent of federal poverty level

72,647,326”;

By striking out item 4406-3000 and inserting in place thereof the following item:

“4406-3000 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide food, shelter, housing search and limited related services to the homeless and indigent; provided, that the department may allocate funds to other agencies for the purposes of this program; and provided further, that of the amount appropriated herein, \$34,000,000 shall be allocated to organizations that received funds from this item in fiscal year 2005 at the pro-rated rate

35,000,000”;

By striking out item 1599-4408 and inserting in place thereof the following item:

“1599-4408 For a reserve for costs incurred to comply with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193), or any successor federal statute, including but not limited to, state work participation requirements, subsequent to the expiration of the commonwealth’s federal welfare waiver on September 30, 2005, or with any additional costs or requirements imposed as a result of any legislation enacted by the General Court subsequent to reauthorization of the federal temporary aid for needy families block grant; provided, that not less than \$6,000,000 shall be made available to the department of transitional assistance for additional services in item 4401-1000, the employment services program, so-called, administered within said department; provided further, that not less than \$6,000,000 shall be made available to the department of early education and care for additional child care vouchers and contracts, according to the provisions of item 3000-4050 and for the administration of said vouchers and contracts by child care resource and referral agencies, according to the provisions of item 3000-2000; provided further, that the secretary of administration and finance, the commissioner of the department of transitional assistance and the commissioner of the department of early education and care, shall, not later than January 15, 2006, jointly issue a preliminary report, and not later than April 1, 2006, issue a final report on planned expenditures from this item, on any federal actions impacting the state transitional assistance program, and on any legislative proposals the department may recommend in response to said actions; provided further, that, if said reports include legislative or administrative recommendations in response to federal actions, said reports shall include a description of all new

requirements proposed to be imposed on recipients of transitional aid to families with dependent children as a result of federal actions, an analysis of the individuals proposed to be subject to work requirements as a result of said actions, including an analysis of which individuals may reasonably be expected to obtain employment with proper assistance and which require an alternative plan or strategy for achieving self-sufficiency, and a detailed plan for addressing the needs of any recipient who would be subject to work requirements under such proposal; provided further, that said reports shall be provided to the chairs of the house and senate ways and means committees, the house and senate chairs of the joint committee on children and families and the house and senate chairs of the joint committee on education; provided further, that nothing in the foregoing authorizes the department of transitional assistance to impose rules or requirements that are not authorized by section 110 of chapter 5 of the acts of 1995, as previously or hereafter amended

12,000,000”;

By striking out item 7004-0099 and inserting in place thereof the following item:

“7004-0099 For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs pursuant to a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making such expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department of housing and community development may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-9009, 7004-9014, 7004-9019, 7004-9020, 7004-9024, 7004-9030 and 7004-9033; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, said department may require disclosure of the social security number of an applicant or tenant and members of such applicant's or tenant's

household for use in verification of income eligibility; provided further, that said department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that said department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it deems necessary to conduct such income verification; provided further, that notwithstanding the provisions of any general or special law to the contrary, such state agencies shall consult and cooperate with said department and furnish any information in the possession of said agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting such income verification, the director of said department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in such federally assisted housing programs and that of members of the participants' households; and provided further, that for the purposes of clarification only, notwithstanding the provisions of section 12 of chapter 490 of the acts of 1980, said department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made pursuant to the neighborhood housing services rehabilitation program; provided further, that not less than \$100,000 shall be expended for the Hungry Hill Development Corporation in the city of Springfield; provided further, that not less than \$10,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham; provided further that \$25,000 shall be expended for the Allston-Brighton Community Development Corporation continued operation of a grant program to enhance housing quality standards; provided further, that \$50,000 shall be expended for the continued operation of computer technology centers at the Commonwealth Housing Development, the Jackson Mann Community Center and the Power Up Center at Brighton High School; provided further, that not less than \$100,000 shall be expended for the Pleasant Street Neighborhood Network Center in Worcester; provided further, that not less than \$100,000 be expended for Neighbors in Need in Lawrence; provided

further, that not less than \$150,000 shall be expended for Brightwood Development; provided, that \$250,000 shall be granted to the town of North Reading for the costs of the economic development of property off Elm Street commonly known as the Smith Farm and shown on North Reading assessors maps as map 62 lot 78, map 62 lot 38, map 75 lot 08 and map 76 lot 17; provided further, that not less than \$15,000 shall be made available to the town of Reading for the upgrade, renovation, repair or installation of technology equipment and infrastructure for the use of municipal government; provided further, that not less than \$95,000 shall be expended for the Boston Housing Authority for a program to provide certain tenant services for the West Broadway Task Force;; provided further, that funds appropriated herein shall be obligated for expenditure by the West Broadway Task Force for the purposes of tenant services provided by said Task Force; provided further provided, that funds appropriated herein shall not be expended by the Boston Housing Authority for discretionary purposes; provided further, that not less than \$53,000 be expended for Food for the World Pantry; provided further that \$61,200 shall be expended for the Worcester Housing Authority for a resident services employment coordinator; provided further, that the amount of \$100,000 shall be expended for the Springfield Neighborhood Housing Services, Inc.; provided further that not less than \$25,000 be expended for Marlborough Community Development Corporation; and providing further, that not less than \$25,000 shall be expended for one staff position for the Beverly Affordable Housing Coalition

7,964,992”;

By striking out item 7004-3036 and inserting in place thereof the following item:

“7004-3036 For housing services and counseling; provided, that not less than \$750,000 shall be expended as grants for the operation of 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be through a competitive application process pursuant to criteria created by the department; and provided further, that no funds shall be expended from this item in the AA object class, so-called, for the compensation of state employees; provided further, that not less than \$80,925 shall be expended for the Central Massachusetts Housing Alliance Inc. Donations Clearinghouse Program;

and provided further, that not less than \$141,000 shall be expended for the Just A Start Corporation to administer a housing stabilization and conflict management services program to prevent homelessness

1,221,925”;

In item 7004-9005 by striking out the figures “31,315,669” and inserting in place thereof the figures “34,871,170”; and

In item 7004-9316 by striking out the figures “2,500,000” and inserting in place thereof the figures “3,000,000”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Honan of Boston; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 37 in Supplement.]

Therefore the amendments were adopted.

At the hour of ten o'clock P.M. (Tuesday, April 26), on motion of Miss Reinstein of Revere) (Mrs. Harkins of Needham being in the Chair), the House recessed until the hour of ten o'clock A.M. on Wednesday, April 27; Wednesday, April 27, 2005 (at 10:00 o'clock A.M.).